

J1093 U.S. PTO  
06/05/01

06-06-01  
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Please type a plus sign (+) inside this box →

PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))*

Attorney Docket No. 6811.US.O1

First Inventor or Application Identifier Ronny van't Oever

Title See 1 in Addendum

Express Mail Label No. EL507385131US

U.S. PTO  
06/05/01

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  \* Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Specification [Total Pages 29]
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 U.S.C. 113) [Total Sheets 16]
4. Oath or Declaration [Total Pages ]  
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
*(for continuation/divisional with Box 16 completed)*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

**\* NOTE FOR ITEMS 1 & 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).**

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

5.  Microfiche Computer Program (*Appendix*)
6. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Copy
  - b.  Paper Copy (identical to computer copy)
  - c.  Statement verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

7.  Assignment Papers (cover sheet & document(s))
8.  37 C.F.R. § 373(b) Statement  Power of  
*(when there is an assignee)*  Attorney
9.  English Translation Document (*if applicable*)
10.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Statement
11.  Preliminary Amendment
12.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
  - \* Small Entity Statement(s)  Statement filed in prior application
  - 13.  Status still proper and desired  
*(PTO/SB/09-12)*
  - 14.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
  - 15.  Other: Application Cover Sheet - 1 pg.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: /

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 17. CORRESPONDENCE ADDRESS

|  |  |   |                |                    |
|--|--|---|----------------|--------------------|
| <input type="checkbox"/> Customer Number or Bar Code Label<br><i>(Insert Customer No. or Attach bar code label here)</i> |  | or <input checked="" type="checkbox"/> Correspondence address below |                |                    |
| Name   | Steven F. Weinstock<br>Abbott Laboratories |   |                |                    |
| Address  | Dept. 377/AP6D-2<br>100 Abbott Park Road   |   |                |                    |
| City   | Abbott Park                                | State   | IL             | Zip Code           |
| Country  | U.S.                                       | Telephone   | (847) 938-3137 | Fax (847) 938-2623 |

|                   |                    |                                   |        |
|-------------------|--------------------|-----------------------------------|--------|
| Name (Print/Type) | Mimi C. Goller     | Registration No. (Attorney/Agent) | 39,046 |
| Signature         | <i>[Signature]</i> |                                   |        |
| Date              | Mar 5, 2001        |                                   |        |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Attachment to PTO/SB/05 (4/98) Utility Patent Application  
Transmittal

1. OPTICAL METHOD AND APPARATUS FOR RED BLOOD CELL DIFFERENTIATION ON A CELL-BY-CELL BASIS, AND SIMULTANEOUS ANALYSIS OF WHITE BLOOD CELL DIFFERENTIATION

00000000000000000000000000000000

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# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.  
 Small Entity payments must be supported by a small entity statement,  
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12  
 See 37 CFR §§ 1.27 and 1.28

TOTAL AMOUNT OF PAYMENT (\$998.00)

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   |                   |
| Filing Date          | June 5, 2001      |
| First Named Inventor | Ronny van't Oever |
| Examiner Name        |                   |
| Group / Art Unit     |                   |
| Attorney Docket No.  | 6811.US.O1        |

## METHOD OF PAYMENT (check one)

- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit Account Number **01-0025**

Deposit Account Name **Abbott Laboratories**

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

- Payment Enclosed:  
 Check     Money Order     Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity              | Small Entity  | Fee Description  | Fee Paid |
|---------------------------|---------------|--|----------|
| Fee Code (\$)             | Fee Code (\$) |  |          |
| 105 130                   | 205 65        | Surcharge - late filing fee or oath  | 0.00     |
| 127 50                    | 227 25        | Surcharge - late provisional filing fee or cover sheet                     | 0.00     |
| 139 130                   | 139 130       | Non-English specification  | 0.00     |
| 147 2 520                 | 147 2,520     | For filing a request for reexamination                                     | 0.00     |
| 112 920*                  | 112 920*      | Requesting publication of SIR prior to Examiner action                     | 0.00     |
| 113 1,840*                | 113 1,840*    | Requesting publication of SIR after Examiner action                        | 0.00     |
| 115 110                   | 215 55        | Extension for reply within first month                                     | 0.00     |
| 116 380                   | 216 190       | Extension for reply within second month                                    | 0.00     |
| 117 870                   | 217 435       | Extension for reply within third month                                     | 0.00     |
| 118 1,360                 | 218 680       | Extension for reply within fourth month                                    | 0.00     |
| 128 1,850                 | 228 925       | Extension for reply within fifth month                                     | 0.00     |
| 119 300                   | 219 150       | Notice of Appeal   | 0.00     |
| 120 300                   | 220 150       | Filing a brief in support of an appeal                                     | 0.00     |
| 121 260                   | 221 130       | Request for oral hearing   | 0.00     |
| 138 1,510                 | 138 1,510     | Petition to institute a public use proceeding                              | 0.00     |
| 140 110                   | 240 55        | Petition to revive - unavoidable   | 0.00     |
| 141 1,210                 | 241 605       | Petition to revive - unintentional   | 0.00     |
| 142 1,210                 | 242 605       | Utility issue fee (or reissue)   | 0.00     |
| 143 430                   | 243 215       | Design issue fee   | 0.00     |
| 144 580                   | 244 290       | Plant issue fee  | 0.00     |
| 122 130                   | 122 130       | Petitions to the Commissioner  | 0.00     |
| 123 50                    | 123 50        | Petitions related to provisional applications                              | 0.00     |
| 126 240                   | 126 240       | Submission of Information Disclosure Stmt                                  | 0.00     |
| 581 40                    | 581 40        | Recording each patent assignment per property (times number of properties) | 0.00     |
| 146 690                   | 246 345       | Filing a submission after final rejection (37 CFR § 1.129(a))              | 0.00     |
| 149 690                   | 249 345       | For each additional invention to be examined (37 CFR § 1.129(b))           | 0.00     |
| Other fee (specify) _____ |               |  | 0.00     |
| Other fee (specify) _____ |               |  | 0.00     |

SUBTOTAL (1) (\$ 710.00)

## 2. EXTRA CLAIM FEES

|                    | Extra Claims | Fee from below | Fee Paid  |
|--------------------|--------------|----------------|-----------|
| Total Claims       | 21           | -20** = 1      | x 18 = 18 |
| Independent Claims | 3            | - 3** = 0      | x 80 = 0  |
| Multiple Dependent |              | 270            | = 270     |

\*for number previously paid, if greater. For Reissues, see below

## Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  |
|---------------|---------------|--|
| 103 18        | 203 9         | Claims in excess of 20                                     |
| 102 78        | 202 39        | Independent claims in excess of 3                          |
| 104 260       | 204 130       | Multiple dependent claim, if not paid                      |
| 109 78        | 209 39        | ** Reissue independent claims over original patent         |
| 110 18        | 210 9         | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 288.00)

\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

|                   |                     |                                     |        |           |                 |
|-------------------|---------------------|-------------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Mimi C. Goller      | Registration No<br>(Attorney/Agent) | 39,046 | Telephone | US-847-935-7550 |
| Signature         | <i>M. C. Goller</i> |                                     |        | Date      | June 5 2001     |

## WARNING:

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ronny van't Oever, et al.

Serial No.: (Not assigned yet)  
Filed: June 5, 2001

Group No.: (Not assigned yet)  
Examiner: (Not assigned yet)

For: **Optical Method and Apparatus for Red Blood Cell Differentiation on a Cell-By-Cell Basis, and Simultaneous Analysis of White Blood Cell Differentiation**

**Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231**

## EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL507385131US

Date of Deposit: June 5, 2001

I hereby state that the following *attached* papers or fees

Utility Patent Application Transmittal – 2 pgs. (in duplicate)

Fee Transmittal – 1 pg. in duplicate

Application Cover Sheet – 1 pg.

Specification (23 pages); Claims (5 pages); Abstract (1 page); **Total: 29**

Drawings - Figures 1a-12 (16 pages)

Two Return-Receipt Postcards

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Wanda E. Smith

  
\_\_\_\_\_  
Signature of person mailing paper or fee

(Express Mail Certificate)